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March 19, 2014

Via ECF

Honorable Gregory Woods
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Federal Deposit Insurance Corporation, et al. v. Bank of America Corporation, et al.*,
No. 14 CV 1757

Dear Judge Woods:

On March 14, 2014, Plaintiffs filed their Complaint in the above-captioned case, which was then assigned to Your Honor. The above-captioned case involves many of the same defendants and underlying facts as those in cases pending before Judge Naomi Buchwald in *In re LIBOR Antitrust Litigation*, 12-md-2262, and a number of cases filed in other districts have been transferred to Judge Buchwald by the Judicial Panel for Multidistrict Litigation. Pursuant to Rule 13(a)(2)(A) of the Rules for the Division of Business Among District Judges, which states that “[c]ivil cases shall not be deemed related merely because they involve common legal issues or the same parties,” Plaintiffs did not file a Related Case Statement at the time of filing the Complaint.

Plaintiffs also note that on February 19, 2013, Judge Buchwald declined as “not related” and sent back to be reassigned a case that was referred to her after being removed from New York state court to this Court. That case, like the above-captioned case and the cases already pending before Judge Buchwald, involves the same underlying facts, legal theories, and at least one common party as those pending in the LIBOR litigation. That case was re-assigned to Judge Furman. *See BPP Illinois, Inc. v. Royal Bank of Scotland Group, PLC*, 13 Civ. 0638 (JMF) (relevant portion of docket attached).

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Plaintiffs would be pleased for Your Honor or Judge Buchwald to preside over this matter, but understand that the determination as to whether this case should be considered “related” is for the Court to decide.

Sincerely,

/s/

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